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Pat Campbell
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[Signature]
Signature

Docket No.: 05983/100J990-US1
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Adele L. Boskey et al.

Application No.: 10/603,478

Examiner: Not Yet Assigned

Filed: June 24, 2003

Art Unit: Not Yet Assigned

For: COMPLEXED-ACIDIC-PHOSPHOLIPID-
COLLAGEN COMPOSITES FOR BONE
INDUCTION

INFORMATION DISCLOSURE STATEMENT (IDS)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This Information Disclosure Statement is submitted in accordance with 37 C.F.R. 1.97, 1.98, and it is requested that the information set forth in this statement and in the listed documents be considered during the pendency of the above-identified application, and any other application relying on the filing date of the above-identified application or cross-referencing it as a related application.

1. This IDS should be considered, in accordance with 37 C.F.R. 1.97, as it is filed:

(Check one of the boxes A-D)

☐ A. Within three months of the filing date of the above-identified national application or within three months of the entry into the national stage of the above-identified international application.

☒ B. before the mailing date of a first office action on the merits, or a first office action after filing a request for continued examination.

☐ C. after (A) and (B) above, but before the mailing date of a final rejection, a notice of allowance, or any other action that closes prosecution, and Applicants have made the necessary statement in box "i" below or paid the necessary fee in box "ii" below.

(check one of the boxes "i" and "ii" below:)

[] i. Counsel states that, upon information and belief, each item of information listed herein was either (a) cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS; or (b) was not cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of undersigned after making reasonable inquiry, was not known to any individual designated in 1.56(c) more than three months prior to the filing of this IDS.

[] ii. A check for the fee set forth in 1. 17(p), presently believed to be \$180, is enclosed.

☐ D. after (A), (B) and (C) above, but before payment of the issue fee: Counsel states that, upon information and belief, each item of information listed herein was either (i) cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the IDS; or (ii) was not cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the undersigned after making reasonable inquiry, was not known to any individual designated in 1.56(c) more than three months prior to the filing of this IDS.

[] i. A check for the fee set forth in 1.17 (p), presently believed to be \$180, is enclosed.

2. In accordance with 37 C.F.R. 1.98, this IDS includes a list (e.g., form PTO/SB/08a/b) of all patents, publications, or other information submitted for consideration by the office, either incorporated into this IDS or as an attachment hereto. A copy of each document listed is attached, except as explained below.

(check boxes A and/or B and fill in blanks, if appropriate.)

☐ A. Document(s) _____ is (are) deemed substantially cumulative to document(s) _____, and, in accordance with 1.98(c), only a copy of each of the latter documents is enclosed.

[] B. Certain documents were previously cited by or submitted to the Office in the following prior applications, which are relied upon under 35 U.S.C. 120:

[SERIAL NO. & FILING DATE].

Applicant Identifies these documents by attaching hereto copies of the forms PTO-892 and PTO/SB/08a/b from the files of the prior application(s) or a fresh PTO/SB/08a/b listing these documents, and request that they be considered and made of record in accordance with 1.98(d). Per 37 CFR 1.98(d), copies of these documents need not be filed in this application.

☐ 3. Document Nos. _____ are not in the English language. In accordance with 1.98(c), Applicant states:

☐ An English translation of each document (or of the pertinent portions thereof), or a copy of each corresponding English-language patent or application is enclosed.

☐ A concise explanation of the relevance of document(s) _____ is found in the attached search report (see MPEP § 609 A(3)x).

☐ A concise explanation of the relevance of document(s) _____ is set forth as follows: [Insert concise explanation of relevance]

☐ A concise explanation of the relevance of document(s) _____ can be found on pages _____ of the specification.

☐ A concise explanation of document(s) _____ can be found on the attached sheet.

☐ 4. No explanation of relevance is necessary for documents in the English language (see MPEP § 609 A(3)).

☐ 5. Other information being provided for the examiner's consideration follows:

6. In accordance with 37 C.F.R. 1.97(g) and (h), the filing of this IDS should not be construed as a representation that a search has been made or that information cited is, or is considered to be, material to patentability as defined in §1.56 (b), or that any cited document listed or attached is (or constitutes) prior art. Unless other-wise indicated, the date of publication indicated for an item is taken from the face of the item and Applicant reserves the right to prove that the date of publication is in fact different.

CROSS REFERENCE UNDER 37 C.F.R. §1.78 TO RELATED APPLICATIONS

Pursuant to 37 C.F.R. § 1.78, Applicant notes that the above-identified patent application may be related to the following U.S. Patent Applications:

(1) U.S. Patent Application Serial No. 60/391,257, filed June 24, 2002.

Early and favorable consideration is earnestly solicited.

Dated: January 27, 2004

Respectfully submitted,

By 

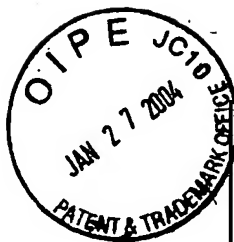
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Attorneys/Agents For Applicants



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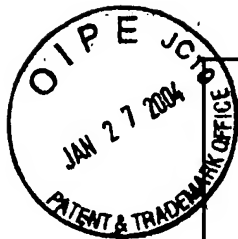
Substitute for form 1449A/B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete if Known	
				Application Number	10/603,478
				Filing Date	June 24, 2003
				First Named Inventor	Adele L. Boskey
				Art Unit	N/A
				Examiner Name	Not Yet Assigned
Sheet	1	of	2	Attorney Docket Number	05983/100J990-US1

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	1	US-4,294,753	10/13/1981	Urist	
	2	US-4,434,094	02/28/1984	Seyedin et al.	
	3	US-4,440,750	04/03/1984	Glowacki et al.	
	4	US-4,455,256	06/19/1984	Urist	
	5	US-4,627,982	12/09/1986	Seyedin et al.	
	6	US-4,780,450	10/25/1988	Sauk et al.	
	7	US-5,904,718	05/18/1999	Jefferies	
	8	US-5,972,385	10/26/1999	Liu et al.	
	9	US-6,197,759 B1	03/06/2001	Esswein et al.	
	10	US-6,261,586 B1	07/17/2001	McKay	
	11	US-60/391,257	06/24/2002	Boskey	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)	MM-DD-YYYY			
	12	PCT-WO 94/15653	07/21/1994	Ammann et al.		

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS					
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.			T ²
	13	Anderson, Clinical Orthopaedics and Related Research, 1995, 314:266-280			
	14	Anghileri, Z. Krebsforsch. 1973, 79:148-156			
	15	Boskey and Posner, Calcif. Tissue Res. 1976, 19:273-283			
	16	Boskey and Posner, Calcif. Tissue Res. 1977, 23:251-258			
	17	Boskey and Posner, Calcified Tissue Int. 1982, 34:S1-S7			
	18	Boskey et al., Calcif Tissue Int. 1996, 58:45-51			
	19	Boskey, The Journal of Physical Chemistry, 1989, 93:1628-1633			
	20	Bostrom et al., J Orthop Res. 1995, 13:357-367			
	21	Boyan et al., Steroids 2001, 66:363-374			
	22	Costa et al., American Journal of Dentistry, 2000;13(2):81-87			
	23	Cotmore et al., Science 1971, 172:1339-3341			
	24	Ennever et al., Cytobios. 1984, 39:151-157			
	25	Goldberg and Boskey, Prog. Histochem. Cytochem. 1996, 31(2):1-187			
	26	Hunter et al., Endod Dent Traumatol. 1998;14:112-118			
	27	Lane et al., Clin. Orthop. 1999, 361:216-227			
	28	Neufeld and Boskey, Bone 1994, 15(4): 425-430			
	29	Raggio et al., J Bone and Min Res. 1986, 1(5): 409-415			
	30	Schmitz et al., Acta Anat (Basel) 1990;138:185-192			
{W:\059831\100J990US1\00119909.DOC {\PAGERANGE 1-30}Examiner Signature			Date Considered		



PTO/SB/08a/b (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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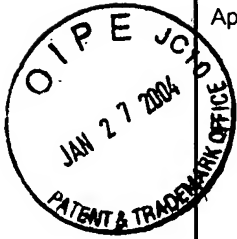
Substitute for form 1449A/B/PTO				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Application Number	10/603,478
				Filing Date	June 24, 2003
				First Named Inventor	Adele L. Boskey
				Art Unit	N/A
				Examiner Name	Not Yet Assigned
Sheet	2	of	2	Attorney Docket Number	05983/100J990-US1

	31	Sloan et al., Arch Oral Biol. 2000; 45:173-177	
	32	Tintut et al., Current Opinion in Lipidology, 2001, 12:555-560	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.

{W:\05983\100J990US1\00119909.DOC {TINTUT ET AL. CURRENT OPINION IN LIPIDOLGY, 2001, 12:555-560 }Examiner Signature	Date Considered
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Application No. (if known): 10/603,478


Attorney Docket No.: 05983/100J990-US1

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Information Disclosure Statement (3 pages);
Form PTO/SB/08a/b (2 sheets);
32 Cited references; and
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